

APPENDIX B

DRAFT DEED RESTRICTIONS  
ON-SITE AREAS - REFINERY PROPERTY



A. Groundwater Use Restriction

The groundwater under the property described in Exhibit A attached hereto shall not be used for any drinking or agricultural purposes, unless and until such groundwater meets (by treatment, remediation, or otherwise) applicable Pennsylvania Land Recycling and Environmental Remediation Standards Act ("Act 2"), 35 P.S. § 6026.101 et seq. standards or written approval for such groundwater use is obtained from the Pennsylvania Department of Environmental Protection (PADEP).

B. Waste Disposal Area Excavation Restriction

The waste disposal areas of the property described in Exhibit B attached hereto shall not be excavated, unless and until a written work plan relating thereto is submitted to and approved in writing by PADEP. The work plan shall describe how disturbed soils will be managed in accordance with applicable environment laws and regulations, shall provide worker health and safety requirements, and shall describe post-excavation restoration of the surface (e.g., soil cover) or other alternatives which meet applicable Act 2 standards or as may be approved by PADEP. Any excavation activities and excavated materials from such waste disposal area shall be managed and handled in accordance with all applicable federal, state, and local laws, regulations, and ordinances, including those relating to environmental health and occupational safety, and all applicable American Refining Group, Inc. ("ARG") (or any successor-in-title to ARG regarding the subject property) standard operating procedures and policies regarding such excavation.

C. On-Site Excavation Restriction

The areas of the property described in Exhibit A attached hereto, except for those properties described in Exhibit B attached hereto, shall be excavated in accordance with all applicable ARG (or any successor-in-title to ARG regarding the subject property) standard operating procedures and policies ("SOPs") regarding such excavation. The SOPs describe how disturbed soils will be managed in accordance with applicable environment laws and regulations, provide worker health and safety requirements, and describe post-excavation restoration of the surface or other acceptable alternatives. Any excavation activities and excavated materials from such area shall be managed and handled

safety.

D. Building Restrictions

All future building construction on the property described in Exhibit A attached hereto shall take into consideration the possible need for controls to meet applicable indoor air quality criteria, in accordance with all applicable federal, state, and local laws, regulations, and ordinances, including those relating to environmental health and occupational safety. Potential measures to address any identified indoor air concerns include, but are not limited to, soil vapor barriers and buildings without basements.

E. Restrictions Run With the Land

The above restrictions and covenants shall apply to and run with the land relating to the property as described in the attached Exhibits, and shall be included in the description of such property in deeds for all future conveyances or transfers of such property.

PROPERTY AREA SUBJECT TO GROUNDWATER USE RESTRICTION

[See survey maps covering the entire ARG Site included in Appendix AO of the July 2007 Site Characterization Report -- legal description to be taken from survey and/or existing deed(s) of record into ARG.]



PROPERTY AREA SUBJECT TO WASTE DISPOSAL AREA RESTRICTIONS

[See attached map showing waste disposal areas designated in the CRA July 2007 SCR as the Bauxite Fill Area, Fly Ash Area, the Former Burn Pit Area, the Construction Debris Area, and the Container/Refuse Removal Area – survey maps and legal descriptions of the exact "footprint: of such waste disposal areas to be provided as part of the implemented Act 2 Remedial Action.]



TUNUNGWANT CREEK →

STATE ROUTE 219

FORMER  
BURN PIT AREA

BAUXITE  
FILL AREA

FLY ASH  
AREA

FOSTER  
BROOK

CONTAINER / REFUSE  
REMOVAL AREA

